

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

COUNSEL HOLDINGS, Inc.

Plaintiff,

v.

EVAN P. JOWERS,

**Defendant/Judgment
Debtor.**

Civil Action No. 1:18-cv-00444-RP

PLAINTIFF’S NOTICE RE MOTION [413] FOR ORDER TO SHOW CAUSE

Plaintiff Counsel Holdings, Inc. (“Plaintiff”) hereby files this notice in response to the Court’s Order of January 29, 2024, Dkt. 430, requiring that the parties each file a notice as to whether Plaintiff’s Motion for an Order to Show Cause, Dkt. 413 (the “Motion”), is moot. Unfortunately, the Motion is not moot, but is very much a matter that requires the Court’s attention.

Following the filing of the Motion, Jowers’s attorneys produced 20 additional pages (bates labeled JOWERS00045-00064) on October 23, 2023. These pages consisted entirely of the financial audit report for Legis Ventures (HK) Company Limited for the year ended March 2022. Thereafter, Jowers produced nothing else until yesterday, February 11, 2024, when he produced 94 additional pages. These were not marked by Jowers, but Plaintiff has organized and Bates-labeled them JOWERS000065 to JOWERS000158, and redacted versions of these documents are attached hereto as **Exhibit 1**.

These new documents are partially duplicates of documents previously produce and do almost nothing to answer the vast majority of the issues raised in the Motion. In summary, the new documents consist of the following:

JOWERS000065	Lease/Purchase agreement for an Audi car
JOWERS000066-JOWERS000067	Bill of Sale for a Mercedes car
JOWERS000068-JOWERS000138	Jowers Vargas LLC tax returns for 2021 and 2022 (unsigned)
JOWERS000139-JOWERS000158	Financial statements and tax return for Legis Ventures for the fiscal year ended 31 March 2022 (duplicates of JOWERS000045-JOWERS000065)

Jowers included nothing to clarify all the financial transactions that were detailed in the Motion and the Reply in Support of the Motion, Dkt. 417 (“Reply”). The Reply summarizes categories of documents that must exist but have not been produced, and virtually all those categories of documents have yet to be produced. (*See Reply*, at 2-5).

Further, the Motion is not moot because it requests that the Court expand the period of relevant discoverable information. (*See Motion*, at 8-9). Previously, the Court ruled that Jowers only needed to produce documents related to financial transactions after the date of the Judgment in September 2022. As of the time of trial, in December 2021, Jowers was claiming that he had significant assets. Now, he pleads that he is impoverished, yet he has refused to produce any information related to where the money has gone. Plaintiff is entitled to know what happened to the assets. Therefore, the relevant period for discovery needs to be expanded so that Plaintiff can determine what transfers occurred and the terms of those transfers.

Dated: February 12, 2024

Respectfully Submitted,

/s/ Robert E. Kinney

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**ATTORNEYS FOR JUDGMENT
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INC.**

CERTIFICATE OF SERVICE

On February 12, 2024, I filed the foregoing document with the clerk of court for the U.S. District Court, Western District of Texas. I hereby certify that I have served the document on all counsel and/or pro se parties of record by a manner authorized by Federal Rules of Civil Procedure 5 (b)(2).